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PTO/SB/05 (12/97)

Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY

## PATENT APPLICATION

### TRANSMITTAL

Attorney Docket No. X-12448

First Named Inventor or Application Identifier

Charles Jack Fisher, et al.

Express Mail Label No.

EL041988283US

#### Application Elements

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (Submit an original, and a duplicate for fee processing)

6. ☐ Microfiche Computer Program (Appendix)

2. ☒ Specification [Total 22] Pages  
(preferred arrangement set forth below)

7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)

- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies

Detailed Description  
Claims

#### ACCOMPANYING APPLICATION PARTS

Abstract of the Disclosure

8. ☒ Assignment Papers (cover sheet & document(s))

9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney  
10. ☐ English Translation Document (if applicable)

11. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations  
12. ☐ Preliminary Amendment

13. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

14. ☐ Small Entity Statement(s) ☐ Statement filed in prior application, Status still proper and desired

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. ☐ Other: XXX

☐ Drawing(s) (35 USC 113) [Total Sheets ☐

4. ☐ Oath or Declaration [Total Pages ☐

a. ☒ Newly executed (original or copy)

b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) [Note Box 5 below]

i. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

5. ☐ Incorporation By Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_/

#### 18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label

(Insert Customer No. Or Attach bar code label here

or

Correspondence address below

NAME Lynn D. Apelgren

Eli Lilly and Company

ADDRESS Lilly Corporate Center

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STATE Indiana

ZIP CODE 46285

COUNTRY U.S.A.

TELEPHONE 317-276-6501

FAX 317-276-5172

"Express Mail" mailing label number EL041988283US

Date of Deposit Dec 10, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Printed Name

Signature

Please type a plus sign (+) ☐ this box → ☐

PTO/SB/17 (12/97)

Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

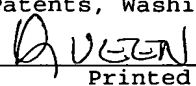

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FEE TRANSMITTAL		Complete if Known	
Note: Effective November 10, 1997. Patent fees are subject to annual revision.		Application Number	
TOTAL AMOUNT OF PAYMENT (\$878.00)		Filing Date	
METHOD OF PAYMENT (check one)		First Named Inventor	Charles Jack Fisher, et al.
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:		Group Art Unit	
Deposit Account Number: 05-0840		Examiner Name	
Deposit Account Name: Eli Lilly and Company		Attorney Docket Number	X-12448
2. <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17		FEE CALCULATION (continued)	
<input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance		3. ADDITIONAL FEES	
2. <input type="checkbox"/> Payment Enclosed:		Large Fee Code Entity Fee (\$) Small Fee Code Entity Fee (\$) Fee Description Fee Paid	
<input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		105 130 205 65 Surcharge-late filing fee or oath	
FEE CALCULATION		127 50 227 25 Surcharge-late provisional filing fee or cover sheet.	
1. FILING FEE		139 130 139 130 Non-English specification	
Large Fee Code Entity Fee (\$) Small Fee Code Entity Fee (\$) Fee Description Fee Paid		147 2,520 147 2,520 For filing a request for reexamination	
101 760 201 380 Utility filing fee 760		112 920* 112 920* Requesting publication of SIR prior to Examiner action	
106 310 206 155 Design filing fee		113 1,840* 113 1,840* Requesting publication of SIR after Examiner action	
107 480 207 240 Plant filing fee		115 110 215 55 Extension for reply within first month	
108 760 208 380 Reissue filing fee		116 380 216 190 Extension for reply within second month	
114 150 214 75 Provisional filing fee		117 870 217 435 Extension for reply within third month	
SUBTOTAL (1) (\$760.00)		118 1,360 218 680 Extension for reply within fourth month	
2. CLAIMS		128 1,850 228 925 Extension for reply within fifth month	
Total Claims: 20 -20= 0		119 300 219 150 Notice of Appeal	
Independent Claims: 4 -3= 1		120 300 220 150 Filing a brief in support of an appeal	
Multiple Dependent Claims: 16 -15= 1		121 260 221 130 Request for oral hearing	
Large Fee Code Entity Fee (\$) Small Fee Code Entity Fee (\$) Fee Description Fee Paid		138 1,510 138 1,510 Petition to institute a public use proceeding	
103 18 203 9 Claims in excess of 20		140 110 240 55 Petition to revive-unavoidable	
102 78 202 39 Independent claims in excess of 3		141 1,210 241 605 Petition to revive-unintentional	
104 260 204 130 Multiple dependent claim		142 1,210 242 605 Utility issue fee (or reissue)	
109 78 209 39 Reissue independent claims over original patent		143 430 243 215 Design Issue Fee	
110 18 210 9 Reissue claims in excess of 20 and over original patent		144 580 244 290 Plant Issue Fee	
SUBTOTAL (2) (\$78.00)		122 130 122 130 Petitions to the Commissioner	
SUBMITTED BY		123 50 123 50 Petitions related to provisional applications	
Typed or Printed Name: Lynn D. Apeltgren		126 240 126 240 Submission of Information Disclosure Stmt.	
Signature: <i>Lynn D. Apeltgren</i>		581 40 581 40 Recording each patent assignment per property (times number of properties)	
Date of Deposit: Dec 10, 1999		146 760 246 380 Filing a submission after final rejection (37 CFR 1.129(a))	
"Express Mail" mailing label number: EL041988283US		149 760 249 380 For each additional invention to be examined (37 CFR 1.129(b))	
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.		Other fee (specify)	
Printed Name: <i>Green Thomas</i>		Other fee (specify)	
Signature: <i>Green Thomas</i>		SUBTOTAL (3) (\$40.00)	

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12/07/00 JC490 U.S. PTO

"Express Mail" mailing label number		EM564068239US
Date of Deposit	12-7-00	
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 Printed Name	 Signature	

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Charles Jack Fisher et al.	)	
			)	
Serial No.	:	09/458,905	)	
			)	Group Art Unit:
Filed	:	December 10, 1999	)	1652
			)	
For	:	METHOD OF TREATING	)	Examiner:
		THROMBOCYTOPENIC PURPURA AND	)	M. Rao
		HEMOLYTIC UREMIC SYNDROME	)	
			)	
Docket No.	:	X-12448	)	

PETITION TO REVIVE UNDER 37 C.F.R. §1.137(b)

Assistant Commissioner for Patents  
 Attention: Petition Attorneys  
 Washington, D.C. 20231

**RECEIVED**  
 MAY 22 2001

**RECEIVED**  
 19 APR 2001  
 Legal Staff  
 International Division

Sir:

OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

The above-identified application was abandoned for failure to prosecute. Applicants respectfully state that the entire delay in filing the reply from the due date for the reply until the filing of this petition was unintentional and petition that the application be revived and reinstated as a pending application.

A continuation application and fee transmittal accompany this petition.

Serial No. 09/458,905

An original and two copies of this paper are enclosed.

Applicants request favorable action on this petition.

Respectfully submitted,

*Brian P. Barrett*

Brian P. Barrett  
Attorney for Applicants  
Registration No. 39,597  
Phone: 317-276-7243

Eli Lilly and Company  
Patent Division/BPB  
Lilly Corporate Center  
Indianapolis, Indiana 46285

December 7, 2000

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